



Attorney/Docket No. 31132.129  
Customer No. 000027683

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Kelly, et al.

Serial No. 10/600,052

Filed: June 20, 2003

For: WEAR-RESISTANT  
ENDOPROSTHETIC DEVICES

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§ Group Art Unit: 3738  
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§ Examiner: Unknown  
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INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

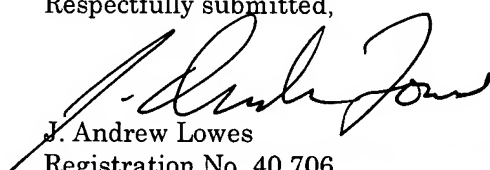
In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

Pursuant to 37 CFR §1.98(d), no copies of the cited references are enclosed since the references were provided in the parent applications, U.S. Serial No. 09/923,891 and U.S. Serial No. 09/924,298.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.


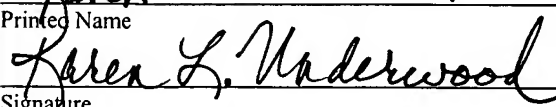
Respectfully submitted,

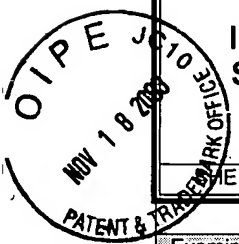
  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number	10/600,052
		Filing Date	June 20, 2003
		Applicant(s)	Kelly, et al.
		Art Unit	3738
		Examiner Name	Unknown
		Attorney Docket Number	31132.129
SHEET	1	OF	5

**U. S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	2677369	05/1954	Knowles
	A2	3486505	12/30/1969	Morrison
	A3	3574374	04/13/1971	Keller, et al.
	A4	3875595	04/08/1975	Froning
	A5	3876728	04/08/1975	Stubstad
	A6	4023572	05/17/1977	Weigand, et al.
	A7	4116200	09/26/1978	Braun, et al.
	A8	4179810	12/25/1979	Kirsch
	A9	4309777	01/12/1982	Patil
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	A11	4599086	07/1986	Doty
	A12	4645507	02/24/1987	Engelbrecht, et al.
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	A42	5047055	09/10/1991	Bao, et al.
	A43	5059193	10/22/1991	Kuslich
	A44	5059194	10/22/1991	Michelson

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Application Number	10/600, 052
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Art Unit	3738
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Attorney Docket Number	31132.129

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**U. S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A45	5062845	11/05/1991	Kuslich, et al.
	A46	5071437	12/10/1991	Steffee
	A47	5080662	01/14/1992	Paul
	A48	5084048	01/28/1992	Jacob, et al.
	A49	5108438	04/28/1992	Stone
	A50	5122130	06/16/1992	Keller
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Art Unit 3738

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**U. S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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	A133	6063121	05/16/2000	Xavier, et al.
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Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	B1	DE 2263842	07/1974	Hoffmann-Daimler	Yes
	B2	DE 30 23 353 A1	04/09/1981	Sulzer AG	
	B3	DE 2804936	08/02/1979	Sulzer AG	
	B4	SU 895433	01/07/1982	Russian Patent	No
	B5	EP 0176728	04/09/1986	Buttner-Janz, et al.	No
	B6	DE 37 41 493 A1	06/22/1989	Roland Man Druckmasch	
	B7	SU 1560184	04/30/1990	Russian Patent	No
	B8	Roll No. G 90 00 094.3	03/14/1991	Mecron Medizinische Produkte	Yes
	B9	EP 0 560 140 A1	09/15/1993	Buttner-Janz	No
	B10	DE 196 53 580	06/25/1998	Wolf	
	B11	WO 00/04839	02/03/2000	Nuvasive, Inc.	
	B12	WO 00/04851	02/03/2000	Spinal Dynamics Corporation	
	B13	WO 00/13619	03/16/2000	Spinal Dynamics Corporation	
	B14	WO 00/13620	03/16/2000	Spinal Dynamics Corporation	
	B15	WO 02 11633	02/14/2002	Spinal Dynamics Corporation	

**OTHER PRIOR ART**

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS); title of the article; title of the item; date; page(s); volume; issue; number(s); publisher; city/country where published
	C1	Brain, et al., "The Neurological Manifestations of Cervical Spondylosis", Brain: A Journal of Neurology, vol. 75; Macmillan & Co.; 1952; pp. 187-225.
	C2	Buttner-Janz, et al.; "Biomechanics of the SB Charite Lumbar Intervertebral Disc Endoprosthesis"; International Orthopedics; vol. 13; 1989; pp. 173-176.
	C3	Edeland; "Some Additional Suggestions for an Intervertebral Disc Prosthesis"; Dept. of Occupational Health; Vdvo PV AB; S-40508; Goteborg; Sweden; 1985 Butterworth & Co. Publishers Ltd.

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Application Number 10/600,052

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Applicant(s) Bryan, et al.

Art Unit 3738

Examiner Name Unknown

Attorney Docket Number 31132.129

**OTHER PRIOR ART**

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS); title of the article, title of the item, date, page(s), volume- issue number(s), publisher, city/country where published
	C4	Enker et al.; "Artificial Disc Replacement"; Spine; vol. 18; No. 8; 1993; pp. 1061-1070.
	C5	Hawkins, et al.; "Shear Stability of an Elastomeric Disk Spacer Within an Intervertebral Joint: A Parametric Study"; Journal of Biomechanical Engineering Technical Briefs; vol. 114; Aug. 1992; pp. 414-415.
	C6	Hedman, et al.; "Design of an Intervertebral Disc Prosthesis"; Spine; vol. 17; No. 6; 1991; pp. S256-S260.
	C7	Hellier, et al.; "Wear Studies for Development of an Intervertebral Disc Prosthesis"; Spine; vol. 17; No. 6 Supplement; 1992; S86-S96.
	C8	Hood; "Far Lateral Lumbar Disc Herniations"; Neurosurgery Clinics of North America; vol. 4, No. 1; Jan. 1993; pp. 117-124.
	C9	Langrana, et al.; "Finite-Element Modeling of the Synthetic Intervertebral Disc"; Spine; vol. 16; No. 6; 1991; pp. S245-S252.
	C10	Lee, et al.; "Development of a Prosthetic Intervertebral Disc"; Spine; vol. 16; No. 6; 1991; pp. S253-S255.
	C11	Lees, et al.; "Natural History & Prognosis of Cervical Spondylosis"; British Medical Journal; Dec. 28, 1963; British Medical Association, London, England; Copyright 1963; pp. 1607-1610.
	C12	Long; "Failed Back Surgery Syndrome"; Neurosurgery Clinics of North America; vol. 2, No. 4; Oct. 1991; pp. 899-919.
	C13	Ray; "The Artificial Disc-Introduction, History and Socioeconomics"; Clinical Efficacy and Outcome in the Diagnosis and Treatment of Low Back Pain; Raven Press, Ltd., NY; 1992; pp. 205-280.
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	C15	Simeone and Rothman; "Cervical Disc Disease"; Pennsylvania Hospital & University of Pennsylvania; 1975; pp. 387-433.
	C16	Solini, et al.; "Metal Cementless Prosthesis for Vertebral Body Replacement of Metastatic Malignant Disease of the Cervical Spine"; Journal of Spinal Disorders; vol. 2; No. 4; 1989; pp. 254-262.
	C17	Taylor, Collier; "The Occurrence of Optic Neuritis in Lesions of the Spinal Cord, Injury, Tumor, Melitis"; Brain: A Journal of Neurology; vol. 24; Macmillan & Co. Ltd, 1901; pp. 532-550.
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	C19	Artificial Disc, Market Potential and Technology update, Viscoglosi Bros., LLC, February 2000, pp. 1-65.
	C20	Boning-Up, The Musculoskeletal Healthcare Industry, Industry Commentary & Review of 1999, Viscoglosi Bros., LLC., March 10, 2000, pp. 1-33.
	C21	Bryan Total Cervical Disc Prosthesis, Single Level Surgical Technique Manual, SPINAL Dynamics Corporation, 2000, 01080-004, pp. 29
	C22	Morphology of the Human Skeleton, pp. 268-270; 283-291; 315-331; 489-495.
	C23	Spine Industry Dynamics, Viscoglosi Bros., LLC., March 10, 2000, pp. 1-4.

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